

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE ROMAN CATHOLIC DIOCESE OF ROCKVILLE
CENTRE, NEW YORK,

Plaintiff,

-v-

CERTAIN UNDERWRITERS AT LLOYDS, LONDON &
CERTAIN LONDON MARKET COMPANIES namely
Ancon Insurance Co. (UK) Ltd., Assicurazioni Generali
T.S., British National Insurance Co. Ltd. formerly known as
British National Life Insurance Society Ltd., CX
Reinsurance Co. Ltd. formerly known as C.N.A. Re of
London, Dominion Insurance Co. Ltd., Excess Insurance Co.
Ltd., London & Edinburgh General Insurance Co. Ltd.,
Sovereign Marine & General Insurance Co. Ltd., St.
Katherine Insurance Co. Ltd., Storebrand Insurance Ltd.,
Taisho Marine & Fire (UK) Ltd., Terra Nova Insurance Co.
Ltd., Tokio Marine & Fire (UK) Ltd., Turegum Insurance
Co. Ltd., Unionamerica Insurance Co. Ltd. and Yasuda Fire
& Marine (UK) Ltd., and LEXINGTON INSURANCE
COMPANY,

Defendants.

Case No.: 1:21-cv-00071-AS

PROPOSED ORDER

Upon consideration of the Motion for Partial Summary Judgment filed by Plaintiff, The Roman Catholic Diocese of Rockville Centre, New York (the “Diocese”) on April 11, 2024, and any response or reply thereto, it is hereby ORDERED that Plaintiff’s Motion for Partial Summary Judgment is GRANTED, and it is hereby DECLARED that LMI owe a duty to pay or reimburse the Diocese for its defense costs in the Underlying Lawsuits and in the defense of claims in the Bankruptcy Case as they are incurred, rather than awaiting the completion of the claim or suit, to the extent they are covered under either the Aggregate Excess Agreement or fall within the Specific Excess Layer.

It is so ORDERED.

Date

The Honorable Arun Subramanian
United States District Judge